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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

EYETALK365, LLC,

Plaintiff,

v.

ZMOD0 TECHNOLOGY CORPORATION  
LIMITED,

Defendant.

Case No.: 3:17-cv-00686-RCJ-PAL

**UNOPPOSED MOTION TO EXTEND  
TIME TO RESPOND TO COMPLAINT  
(FIRST REQUEST)**

Pursant to Fed. R. Civ. P. 6, L.R. 7, and L.R. IA 6-1 and 6-2, Defendant, Zmodo Technology Corporation Limited (**Zmodo**), moves for entry of a second order extending the time for Zmodo to respond to the Complaint for Patent Infringement (ECF No. 1) by thirty days and in support states:

**MEMORANDUM OF POINTS AND AUTHORITIES**

On November 21, 2017, Plaintiff, Eyetalk365, LLC (**Eyetalk**), filed the Complaint. Eyetalk served on Zmodo a summons and a copy of the Complaint on November 27, 2017. The Complaint alleges that Zmodo has directly infringed at least claim 1 of each of 5 patents owned by Eyetalk: U.S. Patent Nos. 9,485,478, 9,516,284, 9,635,323, 9,706,178, and 9,648,290. Eyetalk's alleged direct infringement under theories of literal infringement and/or infringement under the doctrine of equivalents. The Complaint also alleges that Zmodo has indirectly infringed each of the

1 patents-in-suit by inducing customer to infringe each of the patents-in-suit under theories of literal  
2 infringement and/or infringement the doctrine of equivalents. Zmodo requests an extension of time  
3 to January 12, 2018 to answer or otherwise respond to the Complaint.

4 Under Rule 6(b)(1)(A), a court may extend the time in which to respond to a pleading if the  
5 request is made before the original time expires:

6  
7 (b) Extending Time.

8 (1) In General. When an act may or must be done within a specified time, the court  
9 may, for good cause, extend the time:

10 (A) with or without motion or notice if the court acts, or if a request is made,  
11 before the original time or its extension expires.

12 While Zmodo has some familiarity with the specification of the patents-in-suit by virtue of its  
13 involvement in another litigation against Eyetalk recently transferred to this district, Civil Action  
14 No. 2:17-cv-02714-RCJ-PAL, each of the patents-in-suit requires its own investigation. In order to  
15 properly answer the Complaint, Zmodo must conduct an independent analysis of the claims of each  
16 of the patents-in-suit in order to assess its positions with respect to non-infringement and invalidity.  
17 Additionally, Zmodo must perform this analysis in view of Eyetalk's theories of direct and indirect  
18 infringement, both literally and under the doctrine of equivalents. Given the number of claims and  
19 patents involved, Zmodo respectfully requests additional time to answer or otherwise respond to the  
20 Complaint. Finally, Zmodo's counsel has conferred with Eyetalk's counsel on this matter, and  
21 Eyetalk does not oppose the extension sought by Zmodo.

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Accordingly, Zmodo respectfully requests that the Court grants the motion to extend the time to answer or otherwise reply to the Complaint and extends the response deadline to January 12, 2018.

DATED this 18th day of December, 2017.

**AKERMAN LLP**

/s/Tenesa S. Scaturro

MELANIE D. MORGAN, ESQ.

Nevada Bar No. 8515

TENESA S. SCATURRO, ESQ.

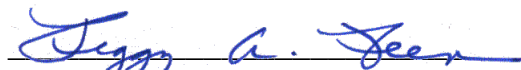
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*Attorneys for Zmodo Technology Corporation Limited*

IT IS SO ORDERED this 22nd day of December, 2017.



Peggy A. Leen

United States Magistrate Judge

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of December, 2017, and pursuant to FRCP 5(b), I electronically served via CM/ECF a copy of the foregoing **UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT (FIRST REQUEST)**, on all parties and counsel as identified on the Court generated notice of electronic filing.

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/s/ Jill Sallade

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